

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary L. Nelsestuen Art Unit : 1656
Serial No. : 10/828,901 Examiner : Holly G. Schnizer
Filed : April 21, 2004 Conf. No. : 5884
Title : MODIFIED VITAMIN K-DEPENDENT POLYPEPTIDES

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed October 3, 2006, Applicant elects the species of aspirin. This election reads on claims 61-70. The election is made with traverse.

Applicant respectfully submits that since aspirin, warfarin, and heparin are connected by the operation (e.g., function) and effect of being anticoagulants, they are not patently distinct (M.P.E.P. § 802.01). Thus, Applicant submits that a species election should not be required. Applicant understands, however, that if the species election requirement is maintained and a generic claim is found to be allowable, claims to the additional species will be considered.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 2, 2006

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